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Los Angeles County Supervisors
Kenneth Hahn Hall of Administration
Via email: Sachi Hamai, Executive Officer (shamai@bos.lacounty.gov)

Dear Los Angeles County Supervisors:

Heal the Bay, a non-profit environmental group dedicated to making California coastal waters safe, healthy, and clean, strongly supports municipal actions that restrict the distribution of expanded polystyrene ("EPS") food packaging. We applaud the County for considering a ban of EPS food packaging at County facilities and events with the intention of looking towards a broader application to restaurants and retailers in unincorporated areas.

Heal the Bay believes it is imperative to desist in the use of EPS and transition to alternatives in order to protect aquatic health and avoid negative economic impacts from plastic litter. Thus, we urge the County move forward with the proposed prohibition on the purchase and use of expanded polystyrene food containers at County facilities and events. In addition, we believe that it is a critical next step to restrict the use of expanded polystyrene food containers at food service establishments and retail stores. As the original motion for this effort was made in May 2007, we have already waited far too long to see both phases of this Ordinance move forward. Thus we ask that the Board to adopt this proposal and move expeditiously towards the next phase.

Expanded Polystyrene Detrimentially Impacts the Marine Environment and Aquatic Life

Roughly 80% of marine debris originates from land-based sources, and plastics make up 90% of floating marine debris. Plastic debris consistently threatens marine life, killing wildlife through ingestion and entanglement. Some areas of the Pacific have six times as much plastic debris as zooplankton by mass (Moore, C et al., 2001. "The comparison of plastic & plankton in the North Pacific central gyre." *Marine Pollution Bulletin* 42:129.)

EPS food packaging is designed for a useful life that can be measured in minutes or hours, yet because it is a non-biodegradable product it persists in the environment for hundreds and possibly thousands of years. Numerous studies have documented the prevalence of polystyrene debris in the environment. At Heal the Bay's over 400 beach and creek clean-ups each year including Coastal Clean-up Day, EPS is consistently one of the top trash items found.

The time required for plastic to break down in aquatic systems is unknown, and these items may never fully decompose. Rather, plastic breaks into small pieces; a trash characterization study by the City of Oxnard (2005) citing EPS plastic as the second most ubiquitous type of trash, found that 88% of foamed plastics was in pieces. Small pieces closely resemble the prey items of many species which ingest the debris and can subsequently suffer from starvation and poisoning from the associated toxins.



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Expanded Polystyrene Litter is Not Easily Controlled

As demonstrated above, expanded polystyrene is a predominant part of the waste stream. Litter abatement is a difficult task for municipalities struggling to meet the regional trash TMDLs and other regulatory requirements, but EPS in particular presents compliance difficulties for municipalities, because it is persistent, because it breaks into pieces and because it is easily distributed.

Information provided by plastic industry groups often suggests that litter is not caused by the discarded product, but instead by “illegal human behavior.” While it is generally agreed that much of the food service expanded polystyrene litter is the result of thoughtless human actions, some food service polystyrene litter is actually a result of wind or water drift from waste bins, waste haulers, and other litter sources. Since EPS material is so light, it floats in water and is easily carried by the wind, even when disposed of properly.

Polystyrene is Not Easily Recycled

Although the technology exists to “recycle” (actually down-cycle) polystyrene, very little is actually recycled due to economic and logistical constraints. In 2002, the polystyrene industry reported that of the 869 million pounds of EPS produced in the U.S. only 26.2 million pounds of post consumer EPS packaging (3% of the total) was recycled. Of that 3%, almost none of the material recycled was food packaging. Most of what is recycled consists of foam block packaging material that is reground and remolded into similar products at a small scale by individual polystyrene manufacturing companies. Further, polystyrene food packaging is typically not “clean” enough to be recycled. Anecdotal evidence suggests that used food packaging is typically discarded if it is not in pristine condition. Thus, municipal collection of polystyrene costs taxpayer money and provides no benefit.

Ultimately, protection of natural resources also makes economic sense. A clean and healthy environment equals a good economy. Accordingly, we strongly urge the Los Angeles County Supervisors to prohibit EPS food packaging at County facilities and events and restrict the use of expanded polystyrene food containers at food service establishments and retail stores in the County unincorporated areas in the very near future.

Sincerely,

Kirsten James
Director of Water Quality